

MOSER LAW FIRM, PC

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March 7, 2024

**VIA ECF**

Hon. Andrew L. Carter, USDJ  
 United States District Court, SDNY  
 40 Foley Square, Rm 435  
 New York, NY 10007

Re: *Dowdy v City of New York*, Case No. 22-cv-06284(ALC)

Dear Judge Carter:

Together with the Seelig Law Offices, I represent the Plaintiffs in the above referenced matter. On or about January 30, 2024 the City responded to a FOIL request that had been made in September of 2023. Based upon a review of the document, Plaintiffs believe that corrections to paragraphs 102-108 of the Second Amended Complaint (“SAC”) should be made. Annexed please find a proposed Third Amended Complaint (“TAC”).

The City has consented to Plaintiffs’ filing of the annexed TAC as to form only, but reserves the right to move to dismiss or answer the proposed third amended complaint.

Moreover, in light of the foregoing, the City has asked for a two week extension of briefing schedule concerning the City’s anticipated motion to dismiss, to which Plaintiffs join, as follows:

	<u>Currently</u>	<u>New Date</u>
Defendant’s Motion:	March 8, 2024	March 22, 2024
Plaintiff’s Opposition:	April 19, 2024	May 3, 2024
Defendant’s Reply:	May 10, 2024	May 24, 2024

Plaintiffs therefore respectfully request that the annexed TAC be accepted for filing pursuant to FRCP 15(a)(2) and that the briefing schedule be amended.

Respectfully submitted,

*Steven J. Moser*  
 Steven J. Moser

CC: All counsel of record via ECF